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C O N F I D E N T I A L ABUJA 000507

SIPDIS

DAKAR FOR FAA; BRUSSELS FOR FAA AND TSA

E.O. 12958: DECL: 10 March 2013

TAGS: [PREL](#) [MASS](#) [FAIR](#) [NI](#)

SUBJECT: NIGERIA - WORLD AIRWAYS, CATEGORY ONE AND SECTION 557

Classified by Ambassador Howard F. Jeter. Reason: 1.5(b).

1. (C) President Obasanjo convoked Ambassador to his residence Sunday evening, March. DCM accompanied. After the President had finished his agenda (captioned septel, notal), the Ambassador briefed him on Section 557 and raised two civil aviation concerns.

2. (C) Ambassador Jeter had briefed MoD Danjuma March 7 on the Congressionally mandated suspension of FY-03 Nigeria IMET and FMF programs and wondered if Danjuma had reported to the President. Obasanjo said Danjuma had poked his head into the office on Friday to say he was back from sick leave; they did not, however, hold a discussion. The Ambassador explained that there was a new development on Benue, a Congressionally mandated provision. Section 557 precluded expenditure of new (FY-03) money on IMET but would not impact pipeline FMF projects, including the C-130 program, Buoy tenders, and the simulation center. Obasanjo sighed and said: "You have your troubles with legislators too." Ambassador explained that the legislator concerned took human rights issues very seriously, and although \$8.7 million remained in ongoing programs, this cost to Nigeria could be ratched up if the Benue issue were not resolved.

3. (C) The Ambassador then raised World Airways' application to operate air service to Nigeria, noting that World was a fully-qualified carrier certified by the U.S. Department of Transportation and that there should be no issue. Obasanjo agreed and asked what the problem was. The Ambassador replied that there appeared to be a conflict between the Minister of Aviation and the travel agency marketing the tickets, RiteTime. Obasanjo then said the solution was for World to find a different marketer. COMMENT: The Embassy is not privy to the details of World's \$22 million contract with RiteTime, but we believe that Obasanjo's solution may not be viable. RiteTime, not World Airways, is the deal-maker in this venture and is assuming the majority of the risk involved, including the payment of a \$250,000 advance to World Airways. Based on our conversations with World Airways officials last week, without RiteTime, World Airways will not fly to Nigeria. END COMMENT.

4. (C) The Ambassador advised President Obasanjo that there was one more bit of information that he need to pass along: (Obasanjo joked saying that the Ambassador initially indicated that there were only two issues that he wanted to raise). The effort to gain Category I certification for Nigeria was at risk because the independence of NCAA (Nigeria Civil Aviation Authority) from the Ministry of Aviation was not assured. The draft legislation stipulated that the Minister "may" give NCAA independence; the operative verb needed to be "shall." Obasanjo said "may" would become "shall" if he could make the change. COMMENT: The legislation in question has not yet passed the National Assembly, so the President can probably have it changed. The problem is that Minister Chikwe does not want to give NCAA independence, because lack of jurisdiction over NCAA will significantly weaken her authority. We hope Obasanjo will hold the line. END COMMENT.
JETER